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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,903	08/11/2004	Shawn McKenna	analytic1	4902

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EXAMINER	
WANG, JUE S	
ART UNIT	PAPER NUMBER
2109	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/710,903	MCKENNA ET AL.	
	Examiner	Art Unit	
	Jue S. Wang	2109	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 August 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 August 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the application filed August 11, 2004.

2. Claims 1-18 have been examined.

Specification

3. The specification is objected to because of the following minor informalities:

Paragraph [0018], the last sentence of the paragraph is missing the period punctuation mark at the end of the sentence.

Paragraph [0027], the first sentence, the phrase "the system uses an eXtended Markup Language "XML" module is used to parse" should read "the system uses an eXtended Markup Language "XML" module to parse".

Appropriate correction is required.

Claim Objections

4. Claim 25 is objected to because of the following informalities:

Claim 15, line 2, the punctuation mark "::" should be ":".

Appropriate correction is required.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-10 and 15-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The current focus of the Patent Office in regard to statutory inventions under 35 U.S.C. § 101 for method claims and claims that recite a judicial exception (software) is that the claimed invention recite a practical application. Practical application can be provided by a physical transformation or a useful, concrete and tangible result. No physical transformation is recited: the steps of providing a database, a management component, a workflow component, and a data entry component are merely instructions within a computer program. The claim recite the steps of building an application; while it does recite an application as the result, an application is functional descriptive material, per se, and is not a tangible, so it does not satisfy the requirement of producing a useful, concrete, and tangible result.

Claims 2-9 fail to resolve the deficiencies of claim 1. Claims 2-8 disclose additional steps involved in providing a management component, a workflow component, and a data entry component. Claim 9 discloses the step of customizing the components. No physical transformation is recited since the steps are instructions within a computer program and the final result of an application is not a tangible result.

Claim 10 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. In claim 10, a "system" is recited; however, it appears that the

system would reasonably be interpreted by one of ordinary skill in the art as software, per se, since the database, management component, workflow component, and data entry component recited as part of the system would reasonably be interpreted by one of ordinary skill in the art as software, per se. As such, it is believed that the system of claim 10 is reasonably interpreted as functional descriptive material, per se.

Claims 15-18 fail to resolve the deficiencies of claim 10. Claims 15-17 disclose additional features of the data entry component to transform data which can be reasonably interpreted as instructions within a computer program. Claim 18 disclose customizing the components which can also be reasonably interpreted as instructions within a computer program. The limitations recited in claims 15-18 do not invalidate the reasonable interpretation of the system as software, per se, by one of ordinary skill in the art.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 1-18 are rejected under 35 U.S.C. 102(a) as being anticipated by Teresa Stover, "Microsoft Office Project 2003 Inside Out", October 1, 2003, (hereinafter Stover).

As per claims 1 and 10, Stover teaches a method for building applications (i.e., Microsoft Office Project 2003 provides a method to manage projects in industries such as the software development industry, see Chapter 1; EN: the method provided by Office Project 2003 facilitates the building of applications since it is used to manage projects in the software development industry); the method comprising the steps of:

providing a database (i.e., Microsoft Project database which stores all data associated with a project, see Chapter 32);

providing a management component for monitoring the process of a project (i.e., Microsoft Office Project 2003 provides functionality to develop and execute single or multiple project plans, including monitoring the schedule, costs, and resource workload associated with a project, see Chapter 1, section "Using Microsoft Project – An Overview" and Chapter 11; it is inherent that the project management functionality for monitoring the process of a project is provided by a management component in the Microsoft Office Project 2003 software since it is well known in the art that good programming practices following the principle of modularity dictates that software packages are organized into components based on functionality);

providing a workflow component for providing collaborative access to the project (i.e., Microsoft Project Professional provides for team collaboration with a Web interface, see Chapter 1, section "Using Microsoft Project – An Overview"); and

providing a data entry component that converts data from disparate data entry sources to a uniform data format for storage in said database (i.e., providing the functionality of importing data into Microsoft Project which converts another application's file format into Microsoft Project file format, see Chapter 16, section "Importing and Exporting Information", subsection

"Importing Information into Microsoft Project"; it is inherent that the imported data is stored in the database since all data associated with a project is stored in the Microsoft Project Database).

Claim 10 teaches a system for building applications where the system comprises a database, a management component, a workflow component and a data entry component. Stover teaches all the limitations disclosed in method 1. Stover also teaches that Microsoft Project 2003 is a software system implementing the method of building applications with user interfaces to provide the functionality of project management, workflow management, and data entry (see Chapter 1, section "Introducing Microsoft Project 2003").

As per claims 2 and 11, Stover teaches the method disclosed in claim 1, and to be implemented in the system of claim 10, which has been addressed. Stover further teaches that the step of providing a management component includes the steps of: providing users that have access to one or more of the group of: location of the project; timeline of progress of the project; schedule of the project (i.e., using Project Professional to check out an enterprise project that the user has permission to see, where the project information available for viewing include information associated with the tasks of a project such as duration, date constraints, deadlines and task dependencies, see Chapter 22, section "Working with Enterprise Projects", subsection "Checking Out an Enterprise Project" and Chapter 4, section "Understanding Project Information Categories").

As per claims 3 and 12, Stover teaches the method disclosed in claim 1, and to be implemented in the system of claim 10, which has been addressed. Stover further teaches that the

step of providing a management component includes the steps of: providing users that have access to a project (i.e., using Project Professional to check out an enterprise project that the user has permission to see, see Chapter 22, section "Working with Enterprise Projects", subsection "Checking Out an Enterprise Project"); and providing different levels of access to different users (i.e., the Project Server provides administration functions to add users and set their permissions, see Chapter 21, section "Managing User and System Security").

As per claims 4 and 13, Stover teaches the method disclosed in claim 1, and to be implemented in the system of claim 10, which has been addressed. Stover further teaches that the step of providing a workflow component includes the steps of: providing users that have access to the data in said database concerning a project (i.e., Project Web Access displays targeted project data, where all project data is stored in the Microsoft Project database, see Chapter 20, section "Understanding Project Server Components" and Chapter 32); and providing different levels of access to different users (i.e., Project Web Access is accessed by project team members entering via some type of user authentication, and the Project Server provides administration functions to add users and set their permissions, see Chapter 20, section "Understanding Project Server Components" and Chapter 21, section "Managing Users and System Security").

As per claims 5 and 14, Stover teaches the method disclosed in claim 1, and to be implemented in the system of claim 10, which has been addressed. Stover further teaches that the step of providing a workflow component includes the steps of: providing users that have access to the data in said database concerning a project (i.e., Project Web Access displays targeted

project data, where all project data is stored in the Microsoft Project database, see Chapter 20, section "Understanding Project Server Components" and Chapter 32); and providing notification to users as their access to the data is needed (i.e., using Project Web Access to set up automated notifications so you can receive e-mail reminding you about various aspects of your project and progress tracking, see Chapter 23, Section "Setting Up E-Mail Reminders and Calendars").

As per claims 6 and 15, Stover teaches the method disclosed in claim 1, and to be implemented in the system of claim 10, which has been addressed. Stover further teaches that the step of providing a data entry component that converts data from disparate data entry sources to a uniform data format for storage in said database further includes the steps of: utilizing XML to transform data from existing data fields to a uniform data entry in said database (i.e., the XML Reporting Wizard Component Object Model is used to save the project as an XML file, where all project data is stored in the Microsoft Project database, see Chapter 16, section "Creating Project XML Data", and Chapter 32).

As per claims 7 and 16, Stover teaches the method disclosed in claim 1, and to be implemented in the system of claim 10, which has been addressed. Stover further teaches that the step of providing a data entry component that converts data from disparate data entry sources to a uniform data format for storage in said database further includes the steps of: analyzing the attributes surround a data field to transform data from existing data fields to a uniform data entry in said database (i.e., mapping data fields from the source application to Microsoft Project by specifying how fields from the source application are to map to specific Microsoft Project fields,

where all project data is stored in the Microsoft Project database, see Chapter 16, section "Importing and Exporting Information" and Chapter 32).

As per claims 8 and 17, Stover teaches the method disclosed in claim 1, and to be implemented in the system of claim 10, which has been addressed. Stover further teaches that the step of providing a data entry component that converts data from disparate data entry sources to a uniform data format for storage in said database further includes the steps of: applying a data filter to transform data from existing data fields to a uniform data entry in said database (i.e., using templates to import data from Excel into Microsoft Project Plan, where all project data is stored in the Microsoft Project database, see Chapter 17, section "Importing and Exporting with Excel" and Chapter 32).

As per claims 9 and 18, Stover teaches the method disclosed in claim 1, and to be implemented in the system of claim 10, which has been addressed. Stover further teaches that the method includes: customizing each of said management components (i.e., the project global template is a template that contains elements and settings pertinent to how you use Microsoft Project including elements to customized ways of looking at project information and elements for specific methods of executing Microsoft Project commands and functions, see Chapter 28, section "Understanding the Template Types"), workflow components (i.e., customizing user categories and security templates, see Chapter 22, section "Managing Users and System Security", subsection "Customizing Categories", subsection "Modifying a Security Template", and Figure 12-11) and data components (i.e., project global templates that includes import/export

maps, see Chapter 28, section "Working with the Project Global Template") to fit the needs of the particular operation.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Fontana et al. (US 6,167,564) is cited to teach a software system development framework.
- Ireland et al. (US 6,266,666 B1) is cited to teach a component transaction server for developing and deploying transaction-intensive business applications.
- Bentwich (US 6,289,513 B1) is cited to teach interactive application generation and text processing.
- Lynn et al. (US 6.606,740 B1) is cited to teach a development framework for case and workflow systems.
- Shah (US 7,039,898 B2) is cited to teach a computer system for performing reusable software application development from a set of declarative executable specifications.
- Bowman-Amuah (US 2001/0052108 A1) is cited to teach a system, method and article of manufacturing for a development architecture framework.
- Richards, III et al. (US 2002/0107994 A1) is cited to teach a collaborative engine for adding collaborative functionality to computer software.
- Guttmann et al. (US 2002/0180789 A1) is cited to teach a framework for developing web-based and email-based collaborative programs.

- Sanches (US 2003/0018510 A1) is cited to teach a method, system, and software for enterprise action management.
- Frisco et al. (US 2003/0061330 A1) is cited to teach a web-based collaborative project and process management solution.
- Liston et al. (US 2005/0065951 A1) is cited to teach visualization of commonalities in data from different sources.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jue S. Wang whose telephone number is (571) 270-1655. The examiner can normally be reached on M-F 9:00 am - 5:00pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xiao Wu can be reached on (571) 272-7761. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

J.W.
3/1/2007

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SUPERVISORY PATENT EXAMINER